

Brief reason for the revision:

The hardship committee should not determine eligibility for disability accommodations, medical leave (FMLA), or religious accommodations. Therefore, all requests shall first be submitted through APD Human Resources. Updates to the overall hardship request policy, process and the committee's role are required.

918 Promotion, Transfer, and Vacancy Guidelines for Sworn Employees

918.6.3 HARDSHIP TRANSFERS

- (a) Hardship requests will be handled by the Hardship Committee. The committee will consist of the [Diversity, Equity & Inclusion \(DEI\) Division](#) Manager, ~~a representative from the~~ Human Resources [Manager](#), a representative from the Wellness Bureau, ~~and three commanders,~~ [and the Staffing Lieutenant](#). The Equity Manager will act as the chair of the committee. [The Staffing Lieutenant will be a non-voting member of the committee.](#)
- ~~(b)~~ [The hardship committee does not determine eligibility for disability accommodations, medical leave \(FMLA\), or religious accommodations. Therefore, all requests shall first be submitted through APD Human Resources.](#)
- ~~(b)~~~~(c)~~ [Employees requesting a hardship consideration shall complete Form PD0003 APD Hardship Request and email it to \[APDHRFMLA@austintexas.gov\]\(mailto:APDHRFMLA@austintexas.gov\).](#)
- ~~(e)~~~~(d)~~ [Upon receipt of the request, the ~~FMLA-APD HR Program~~ Coordinator will review the request within 2 business days and determine if the employee is eligible for a federally or City mandated leave management program, such as, the American's with Disabilities Act \(ADA\) or Family and Medical Leave Act \(FMLA\) programs.](#)
- [If the employee qualifies for ~~either a federally or City mandated leave management~~ program, the ~~FMLA-APD HR Program~~ Coordinator will: ~~process the request and make notification to the committee.~~](#)
 - [Process the request according to all applicable legal requirements.](#)
 - [Make notification of eligibility to the employee's chain of command \(COC\), and](#)
 - [Coordinate with the Staffing Lieutenant on accommodation for which the employee qualifies and applicable length of time.](#)
 - [Upon notification of the final decision and specifics of the accommodation \(see 2c\), will notify the employee.](#)
 - [Will notify APD Payroll at \[APDHRPayroll@austintexas.gov\]\(mailto:APDHRPayroll@austintexas.gov\) to ensure any compensation and Banner record updates are completed \(shift differential, stipends, location, etc.\)](#)
 - [The Staffing Lieutenant will:](#)
 - [Coordinate with all impacted COCs on accommodation assignment and applicable length of the time.](#)
 - [If there are conflicting priorities between impacted COCs, Executive staff will review and determine next steps.](#)
 - [The Staffing Lieutenant will communicate the final decision to APD HR at \[APDHRFMLA@austintexas.gov\]\(mailto:APDHRFMLA@austintexas.gov\) no later than 5 business days of initial notification by APD HR.](#)
 - ~~2-3.~~ [If the employee does not qualify for ~~either a federally or City mandated leave management~~ program, the ~~FMLA-APD HR Program~~ Coordinator will ~~make note the designation~~ on the request and forward it to the committee for review within 2 business days.](#)
 - [The Hardship Committee members will review the request within 5 business days of notification.](#)
 - [The committee chair will:](#)

(a) Schedule a meeting for the committee within 5 business days to discuss the committee member's individual recommendations and make a collaborative determination to approve or deny the request.

~~(d)(b) Once the request has been reviewed, the committee will Forward the recommend determination and to approve or decline the request and forward the request to the Chief of Police or designee to ensure awareness. The Chief will review the request and make the final decision.~~

(c) Notify the employee of the final determination. The employee has the ability to appeal the determination to the Chief of Police.

6. If the hardship request is approved the Staffing Lieutenant will:

(a) Place the officer will be placed on an established waiting list by rank for the next available position that meets the requests of the hardship.

~~(e)(b) The staffing lieutenant will m~~Maintain the list of hardship eligible officers.

~~1.(c) When a position meeting the needs of the hardship request becomes available, the staffing lieutenant will~~ notify the commander over the identified hardship position that the position will be filled through the hardship process.

~~2.(d) If the position is determined as one that will be filled through a hardship, the staffing lieutenant will~~ notify the first officer on the eligibility list of the position that meets their hardship request and their selection for the spot.

~~3.(e) If the selected officer declines the position, then it will be given to the next officer on the eligibility list. The officer declining the position will be removed from the hardship eligibility list.~~

~~(f)(e) The Chief may designate certain positions that officers are not eligible to transfer into under a hardship transfer.~~

~~(g)(f) The hardship request will not apply to future moves that an affected officer applies for at their current rank or if they choose to enter the promotional process.~~ If the officer is still experiencing the hardship upon promotion, they can submit the hardship request for consideration through APDHRFMLA@austintexas.gov.

~~(h)(g) The hardship committee is not for disability accommodations, medical leave (FMLA), or religious accommodations. These requests shall be handled through Human Resources.~~